

This section cited in construing sec. 49. *Fouke v. Fleming*, 13 Md. 407.
Cited in *In Re Universal Storage & Transfer Co.*, 4 F. Supp. 425.
See notes to sec. 45.

An. Code, 1924, sec. 47. 1912, sec. 46. 1904, sec. 44. 1888, sec. 43. 1856, ch. 154, sec. 130.

48. If acknowledged out of the State, before any officer authorized to take acknowledgment of deeds.

An acknowledgment held invalid under the act of 1856, ch. 154, see *Berry v. Matthews*, 13 Md. 560.

This section cited in construing sec. 49. *Fouke v. Fleming*, 13 Md. 407.

Cited but not construed in *Stiefel v. Barton*, 73 Md. 411.

An. Code, 1924, sec. 48. 1912, sec. 47. 1904, sec. 45. 1888, sec. 44. 1729, ch. 8, sec. 5. 1856, ch. 154, sec. 131. 1888, ch. 464.

49. Bills of sale shall be recorded in the county or city where the vendor or donor resides within twenty days from the date thereof. If the vendor or donor resides out of the State, and the personal property conveyed by such bill of sale is located in this State, then such bill of sale shall be recorded in the county where such property is located, or in Baltimore City, if it be located in said city, within twenty days from the date of such bill of sale.

Application of this section.

In bill of sale covering wheat crop given as security for fertilizer, held that if there were creditors subsequent to making such bill of sale, and before recordation, trustee in bankruptcy entitled to proceeds from sale of wheat for all creditors. *In Re Cook*, 9 F. Supp. 764.

A deed for the benefit of creditors conveying personal property is a bill of sale with a declaration of trust, and comes under the operation of this section. *Stiefel v. Barton*, 73 Md. 411. *Cf. Hoopes v. Knell*, 31 Md. 555.

This section does not apply to a deed or a bill of sale made outside of Maryland. *Wilson v. Carson*, 12 Md. 76 (decided prior to the act of 1888, ch. 464); *Moore v. Title and Trust Co.*, 82 Md. 291. *Cf. Fouke v. Fleming*, 13 Md. 407.

Generally.

The fact that the bill of sale was recorded within twenty days must appear; an unsigned statement on the bill of sale as to the time of its record, held insufficient. *Byer v. Etnyre*, 2 Gill, 161.

A bill of sale held to be duly recorded as required by this section. *Salabes v. Castleberg*, 98 Md. 652; *Kreuzer v. Cooney*, 45 Md. 590.

Design of this section. *Wilson v. Carson*, 12 Md. 76; *Garrett v. Hughlett*, 1 H. & J. 4; *Gill v. Griffith*, 2 Md. Ch. 271; *Hudson v. Warner*, 2 H. & G. 430.

This section referred to in construing sec. 45. *Ober and Sons Co. v. Keating*, 77 Md. 103.

This section referred to in construing sec. 54. *Pleasanton v. Johnson*, 91 Md. 676.

This section referred to in construing sec. 71. *Gunby v. Motor Truck Corp.*, 156 Md. 19.

Cited in *Fire Ins. Co. v. Merrick*, 171 Md. 485.

Cited in construing Art. 4, Sec. 840, Code Pub. Loc. Laws. *Miller v. Hirschmann*, 170 Md. 154.

As to railroad equipment and rolling stock, see sec. 109.

See also secs. 1, 14 and 45, and notes.

An. Code, 1924, sec. 49. 1912, sec. 48. 1904, sec. 46. 1888, sec. 45. 1856, ch. 154, sec. 142.

50. A mortgage of personal property shall be executed, acknowledged and recorded as bills of sale.

Failure to record mortgage on chattels did not affect its validity as between mortgagor and mortgagee, and did not affect elimination of mortgaged articles excluded by fire policy. *Fire Ins. Co. v. Merrick*, 171 Md. 485.

Seal necessary for valid chattel mortgage, though it may be good without seal as against prior unsecured creditors. *Tyler Co. v. O'Ferrall*, 153 Md. 355.

Cited in construing Art. 4, Sec. 840, Code Pub. Loc. Laws (1938). *Miller v. Hirschmann*, 170 Md. 154.

Cited in *In Re Universal Storage & Transfer Co.*, 4 F. Supp. 425.

A mortgage held to be executed, acknowledged and recorded as required. *Salabes v. Castelberg*, 98 Md. 652.

This section referred to in construing sec. 45. *Ober and Sons Co. v. Keating*, 77 Md. 103.